

SECURITY INFORMATION

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Subject

314

322

21 July 1952

Chief, PDC

Office of General Counsel

Approval for Retroactive Promotions

1. Reference is made to your memorandum of 7 July 1952 with enclosures, requesting approval of retroactive promotions of three employees [REDACTED]

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2. This office has carefully and sympathetically reviewed the factual situation, as set forth in the material submitted by you which includes the personnel folders of the three individuals in question, in the light of the decisions of the Comptroller General. These decisions have consistently held, over the years, that the retroactive promotions proposed are not proper. In 11 Comp. Gen. 115 at page 118 it is stated:

"It is a well-established rule that, in the absence of a statute specifically so providing, administrative changes in salary rates may not be made retroactively effective. . . . The rule is applicable to all salary adjustments involving exclusively the action of the administrative office, whether in the departmental or field services. 10 Comp. Gen. 514."

In support of this see 21 Comp. Gen. 95 referred to by the Chief, Finance Division in his memorandum of 24 June 1952.

3. In view of the above, this office is unable to approve the proposed retroactive promotions of [REDACTED]

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[REDACTED]
Deputy General Counsel

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OCC/JSW/OEP:ag

Distribution

Orig - Addressee - *Hand carried by [REDACTED] 22 July*
2 - OCC

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Enclosures:

Personnel Folders on [REDACTED]

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Memo to PDC, dtd 24 June 52, fr Finance Div.

Memo to PDC, dtd 7 May 52, fr Chief, SR

CC of memo fr Chief, Per. Div. (C) to Gen. Counsel

dtd 7 July 52

Approved For Release 2001/08/17 : CIA-RDP57-00384R000400060022-0

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